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GROUP 1700

JUL 23 2003

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<b>Re:</b> 08/782,753 discussion points	<b>CC:</b>

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**NOT FOR RECORD DISCUSSION POINTS**

Fina Technology Inc.

US Patent Application No. 09/782,753

COS-787 Response to First Office Action

Examiner Jennine Brown / James Pasterczyk

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In reference to the office action dated May 21, 2003, the following talking points are proposed for your consideration and discussion.

Claim Objections

Amend claims 5, 19, 20, 22-24, and 33 by replacing the term "method" with "process" in the first line of each claim.

Claim Rejections – 35 USC 102

Sugimura, et al

Sugimura discloses a low temperature catalyst step at column 53, lines 13-20 and also at column 54, lines 51-59. These steps comprise a compound (b) that is a compound of a transition metal from any of Groups 8 to 10 of the periodic table. See column 47, lines 25-37.

- It is questionable whether a compound of a transition metal from Groups 8 to 10 of the periodic table would be considered a metallocene catalyst as required in the independent claims of the present invention.

Sugimura does not disclose including compound (e), a "fine particulate carrier", in the low temperature catalyst step.

- The present invention requires "a particulate catalyst support material comprising support particles having an alumoxane co-catalyst incorporated on said support particles" in step (a) of the synthesis.

Double Patenting

The double patenting rejections relating to U.S. Patent No.'s 6,239,058, 6,166,153, 5,968,864, and 6,432,860 are proposed to be overcome by pointing out the following differences:

- 6,239,058      The catalyst of this patent is dried, as disclosed at column 5, line 10 and claim 1, column 12, line 12. It does not teach the benefits of low temperature synthesis and of the benefits of elimination of the drying step.
- 6,166,153      This patent does not teach the benefits of low temperature synthesis and of the benefits of elimination of the drying step.
- 5,968,864      The catalyst of this patent can be dried, as disclosed at column 5, line 15 and claim 1, column 11, line 6. This patent does teach the benefits of low temperature synthesis, but does not teach the benefits of elimination of the drying step.
- 6,432,860      This patent does not teach the benefits of low temperature synthesis and of the benefits of elimination of the drying step.

It is believed that the above amendments place the application in condition for allowance.

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